NEW MEXICO
ENVIRONMENT DEPARTMENT
Ground Water Quality Bureau

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Draft: November 25, 2020

GROUND WATER QUALITY BUREAU
DISCHARGE PERMIT
Issued under 20.6.2 NMAC

Facility Name:	City of Las Vegas Sludge Disposal Facility
Discharge Permit Number:	DP-494
Facility Location:	Adjacent to the City of Las Vegas Airport Las Vegas, NM
County:	San Miguel
Permittee:	City of Las Vegas William Taylor
Mailing Address:	1700 N. Grand Ave Las Vegas, NM 87701
Facility Contact:	Robert Espinoza
Telephone Number/Email:	505-429-7076/roberte@lasvegasnm.gov
Permitting Action:	Renewal
Permit Issuance Date:	DATE
Permit Expiration Date:	DATE [20.6.2.3109.H(4) NMAC]
NMED Permit Contact:	Andrew Romero
Telephone Number/Email:	505-660-8624/andrewc.romero@state.nm.us

MICHELLE HUNTER
Chief, Ground Water Quality Bureau
New Mexico Environment Department

Date

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ATTACHMENTS

I. INTRODUCTION

The New Mexico Environment Department (NMED) issues this groundwater discharge permit Renewal (Discharge Permit or DP-494) to the City of Las Vegas (Permittee) pursuant to the New Mexico Water Quality Act (WQA), NMSA 1978 §§74-6-1 through 74-6-17, and the New Mexico Water Quality Control Commission (WQCC) Ground and Surface Water Protection Regulations, 20.6.2 NMAC.

NMED's purpose in issuing this Discharge Permit, and in imposing the requirements and conditions specified herein, is to control the discharge of water contaminants from the City of Las Vegas Sludge Disposal Facility (Facility) in order to protect groundwater and those segments of surface water gaining from groundwater inflow for present and potential future use as domestic and agricultural water supply and other uses, and to protect public health. It is NMED's determination in issuing this Discharge Permit that the Permittee has met the requirements of Subsection C of 20.6.2.3109 NMAC. The Permittee is responsible for complying with the terms and conditions of this Discharge Permit pursuant to Section 20.6.2.3104 NMAC; failure to do so may result in enforcement action by NMED (20.6.2.1220 NMAC).

Described below are the activities that produce the discharge, the location of the discharge, and the quantity, quality and flow characteristics.

The Permittee disposes of up to 15,900 gallons annual average day flow of aerobically digested sludge from the City of Las Vegas Wastewater Treatment Facility (WWTF) to 400 acres of rangeland in accordance with 40 CFR Part 503. The Permittee no longer discharges aerobically digested sludge from the United World College WWTF.

The discharge may contain water contaminants or toxic pollutants elevated above the standards of Section 20.6.2.3103 NMAC and is not subject to the exemption at Subsection 20.6.2.3105.A NMAC.

The Facility is located approximately 10 miles northeast of Las Vegas near the City of Las Vegas Municipal Airport, in Section 32, Township 17N, Range 17E, in San Miguel County. A discharge at the Facility is mostly likely to affect groundwater at a depth of approximately 26 feet and having a total dissolved solids (TDS) concentration of approximately 904 milligrams per liter.

NMED issued the original Discharge Permit to the Permittee on November 16, 1993 and subsequently renewed and modified the Permit on October 18, 1995, modified the Permit on February 14, 1997, renewed the Permit on September 11, 2001, renewed the Permit on November 12, 2008, and renewed the Permit on June 6, 2014. The application (i.e., discharge plan) associated with this Discharge Permit consists of the materials submitted by the Permittee dated February 12, 2020, and materials contained in the administrative record prior to issuance

of this Discharge Permit. The Permittee shall manage the discharge in accordance with all conditions and requirements of this Discharge Permit.

NMED reserves the right to require a Discharge Permit modification in the event NMED determines that the Permittee is or may be violating, or is likely to violate in the future, the requirements of 20.6.2 NMAC or the standards of Section 20.6.2.3103 NMAC. NMED reserves this right pursuant to Section 20.6.2.3109 NMAC. An NMED requirement to modify the Discharge Permit may result from a determination by the department that structural controls and/or management practices approved under this Discharge Permit are insufficiently protective of groundwater quality and human health. NMED reserves the right to require the Permittee implement abatement of water pollution and remediate groundwater quality.

NMED's issuance of this Discharge Permit does not relieve the Permittee of the responsibility to comply with the WQA, WQCC Regulations, and any other applicable federal, state and/or local laws and regulations, such as zoning requirements and nuisance ordinances.

This Discharge Permit may use the following acronyms and abbreviations.

Abbreviation	Explanation		Abbreviation	Explanation
BOD_5	biochemical oxygen demand (5-day)		NMSA	New Mexico Statutes Annotated
CFR	Code of Federal Regulations		NO_3-N	nitrate-nitrogen
CFU	colony forming unit		NTU	nephelometric turbidity units
Cl	chloride		QA/QC	Quality Assurance/Quality Control
EPA	United States Environmental Protection Agency		SDDS	Surface Disposal Data Sheet
gpd	gallons per day		TDS	total dissolved solids
LAA	land application area		TKN	total Kjeldahl nitrogen
LADS	Land Application Data Sheet(s)		total nitrogen	= TKN + NO_3-N
mg/L	milligrams per liter		TRC	total residual chlorine
mL	milliliters		TSS	total suspended solids
MPN	most probable number		WQA	New Mexico Water Quality Act
NMAC	New Mexico Administrative Code		WQCC	Water Quality Control Commission
NMED	New Mexico Environment Department		WWTF	Wastewater Treatment Facility

II. FINDINGS

In issuing this Discharge Permit, NMED finds the following.

1. The Permittee is discharging effluent or leachate from the Facility so that such effluent or leachate may move into groundwater of the State of New Mexico that has an existing

concentration of 10,000 mg/L or less of TDS, within the meaning of Subsection A of 20.6.2.3101 NMAC, without exceeding standards of 20.6.2.3103 NMAC for any water contaminant.

2. This Discharge Permit allows the Permittee to discharge effluent or leachate from the Facility directly or indirectly into groundwater pursuant to this Discharge Permit and Sections 20.6.2.3000 through 20.6.2.3114 NMAC.

3. The discharge from the Facility is not subject to any of the exemptions of Section 20.6.2.3105 NMAC.

III. AUTHORIZATION TO DISCHARGE

The Permittee is responsible for ensuring that discharges authorized by this Discharge Permit are consistent with the terms and conditions herein pursuant to 20.6.2.3104 NMAC.

This Discharge Permit authorizes the Permittee to receive and discharge up to 15,900 gpd of liquid, semi-solid, and solid domestic wastewater treatment facility sludge originating at the City of Las Vegas' WWTF to 18 surface disposal cells totaling 400 acres.

The Permittee may not receive any other waste types or similar wastes from other facilities at the Facility.

[20.6.2.3104 NMAC, Subsection C of 20.6.2.3106 NMAC, Subsection D of 20.6.2.3109 NMAC]

IV. CONDITIONS

NMED issues this Discharge Permit for the discharge of water contaminants subject to the following conditions.

A. OPERATIONAL PLAN

#	Terms and Conditions
1.	The Permittee shall implement the following operational plan to ensure compliance with Title 20, Chapter 6, Parts 2 and 4 NMAC. [Subsection C of 20.6.2.3109 NMAC]
2.	The Permittee shall operate in a manner that does not violate standards and requirements of Sections 20.6.2.3101 and 20.6.2.3103 NMAC. [20.6.2.3101 NMAC, 20.6.2.3103 NMAC, Subsection C of 20.6.2.3109 NMAC]

#	Terms and Conditions
3.	To prevent run-on and run-off from a storm event, the Permittee shall maintain earthen berms surrounding the perimeter of the Facility and between disposal cells that are a minimum of 24 inches above natural grade. The Permittee shall inspect the berms on a regular basis and after any major rainfall event and repair as necessary. In place of a berm across the Facility entrance, the Permittee shall construct and maintain shallow (minimum depth of six inches) stormwater diversion trenches parallel to and on each side of the Facility entrance gate. The Permittee shall maintain all berms and trenches until termination of the permit and the Permittee has met the closure conditions. The Permittee shall keep a log of the inspections that includes a date of the inspection, findings and repairs and the name of the person responsible for the inspection. The Permittee shall make the log available to NMED upon request. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
4.	The Permittee shall maintain fences around the entire Facility to restrict access. A minimum of a three-strand barbed wire fence including a locked gate shall surround the Facility. [Subsections B and C of 20.6.2.3109 NMAC, NMSA 1978, § 74-6-5.D]
5.	The Permittee shall maintain the following signs at the following locations: • The Permittee shall post signs at the Facility entrance and every 500 feet along the Facility boundary that state: "Notice: Waste Disposal Area - KEEP OUT" and "Aviso: Área de Disposición - NO ENTRAR". • The Permittee shall post a sign at the entrance gate with the name of the Facility's contact person, office phone number of the contact person, emergency contact phone number for the Facility, and physical location of the facility including township, range, and sections. • The Permittee shall post a sign on each tank identifying its contents. Signs on tanks containing contaminated water shall indicate in English and Spanish that the water is not potable. • The Permittee shall post a sign at the boundary of each cell to identify the cell number. The Permittee shall ensure all signs are weatherproof and legible for the term of this Discharge Permit. [NMSA 1978, § 74-6-5.D, Subsections B and C of 20.6.2.3109 NMAC]

#	Terms and Conditions
6.	The Permittee shall inspect the Facility weekly and collect any residual solid waste (trash) on the Facility site. The Permittee shall dispose of the collected materials in a manner consistent with all local, state and federal regulations. [Subsection A of 20.6.2.3107 NMAC, Subsections B and C of 20.6.2.3109 NMAC]
7.	The Permittee shall not discharge liquid wastes during periods of precipitation or when surface soils are frozen or saturated. The Permittee may store wastes on-site in tanker trucks or at the WWTF's sludge drying beds during these periods. [Subsection C of 20.6.2.3109 NMAC]
8.	The Permittee shall monitor the Facility's stormwater retention ponds for the presence of standing liquid after every precipitation event. Should standing liquid be noted in the Facility's stormwater retention ponds, the Permittee shall remove the stormwater as soon as possible to minimize the potential for migration to groundwater and shall dispose of the potentially contaminated stormwater in accordance with all local, state and federal regulations. [20.6.2.3109 NMAC]

Operational Actions with Implementation Deadlines

#	Terms and Conditions
9.	Within 180 days following the issuance date of this Discharge Permit (**by DATE**), the Permittee shall submit an up-to-date diagram of the layout of the entire Facility to NMED. The diagram shall include the following elements: • a north arrow; • the issuance date of the diagram; • all components of the disposal system including the cell identification numbers; • all groundwater monitoring wells; and The Permittee shall ensure that any element that cannot be directly shown due to its location inside of existing structures, or because it is buried without surface identification, shall be on the diagram in a schematic format and identified as such. [Subsection C of 20.6.2.3106 NMAC, Subsection A of 20.6.2.3107 NMAC]

Domestic Wastewater Treatment Facility Sludge

#	Terms and Conditions
10.	The Permittee shall dispose of domestic sludge to 18 surface disposal cells totaling 400 acres using a sludge injection vehicle (Terragator). The Permittee shall evenly distribute sludge throughout the individual cells in use. The Permittee shall minimize ponding of liquid sludge. The Permittee shall ensure disposal of sludge is in accordance with requirements set forth in 40 CFR Part 503. [Subsection C of 20.6.2.3109 NMAC]
11.	The Permittee shall discharge domestic wastewater treatment facility sludge to the disposal cells such that the amount of total nitrogen discharged does not exceed 200 pounds per acre in any 12-month period. The Permittee shall distribute domestic wastewater treatment facility sludge evenly throughout the entire disposal area. [Subsection C of 20.6.2.3109 NMAC]

B. MONITORING AND REPORTING

#	Terms and Conditions
12.	The Permittee shall conduct the monitoring, reporting, and other requirements listed below in accordance with the monitoring requirements of this Discharge Permit. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
13.	METHODOLOGY – Unless otherwise specified by this Discharge Permit, or approved in writing by NMED, the Permittee shall use sampling and analytical techniques that conform with the references listed in Subsection B of 20.6.2.3107 NMAC. [Subsection B of 20.6.2.3107 NMAC]
14.	Semi-annual monitoring - The Permittee shall perform monitoring and other Permit required actions during the following periods and shall submit semi-annual reports to NMED by the following due dates: • January 1st through June 30th – **due by August 1st; and** • July 1st through December 31st – **due by February 1st.** [Subsection A of 20.6.2.3107 NMAC]
15.	The Permittee shall maintain a manifest on-site for each load of waste received. The manifest shall record the following information:

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	• date of receipt; • volume of waste; • confirmation of inspection for acceptable waste type; • signature of person conducting the inspection; and • cell identification and location within the cell where the Permittee discharged the waste. The Permittee shall make the manifests available for inspection by NMED upon request. [NMSA 1978, § 74-6-5.D, Subsection A 20.6.2.3107 NMAC]

Groundwater Monitoring Conditions

#	Terms and Conditions
16.	The Permittee shall perform semi-annual groundwater sampling in the groundwater monitoring wells referenced below and analyze the samples for the following constituents: • aluminum • arsenic • barium • boron • cadmium • Cl • chromium • cobalt • copper • cyanide • fluoride • iron • lead • manganese • molybdenum • mercury (total unfiltered) • NO_3-N • pH • nickel • selenium • silver • sulfate • TDS • TKN • zinc • Polychlorinated biphenyls (PCBs) The Permittee shall sample the following groundwater monitoring wells: a) MW-NE, located in the northeast corner of the sludge disposal land application area and at the northeast corner of Section 6. b) MW-SE, located in the southeast corner of the sludge disposal land application area and at the southeast corner of Section 13. c) MW-SW, located in the southwest corner of the sludge disposal land application area and at the southwest corner of Section 15. d) MW-NW, located in the northwest corner of the sludge disposal land application area

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	and at the northwest corner of Section 4. The Permittee shall perform groundwater sample collection, preservation, transport and analysis according to the following procedures. a) Measure the depth-to-most-shallow groundwater from the top of the well casing to the nearest one-hundredth of a foot. b) Purge three well volumes of water from the well prior to sample collection. c) Obtain samples from the well for analysis. d) Properly prepare, preserve and transport samples. e) Analyze samples in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit the depth-to-most-shallow groundwater measurements and the laboratory analytical data results, including the laboratory QA/QC summary report, for each well, and a Facility layout map showing the location and number of each well to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC]
17.	The Permittee shall develop a groundwater elevation contour map, i.e., potentiometric surface map, on a semi-annual basis using the top of casing elevation data from the monitoring well survey and the most recent depth-to-most-shallow groundwater measurements, referenced to mean sea level, obtained during the groundwater sampling required by this Discharge Permit. The groundwater elevation contour map shall depict the groundwater flow direction based on the groundwater elevation contours. The Permittee shall estimate groundwater elevations between monitoring well locations using common interpolation methods. The Permittee shall use a contour interval appropriate to the data, but shall not be greater than two feet. Groundwater elevation contour maps shall use arrows to depict the groundwater flow direction based on the orientation of the groundwater elevation contours, and shall locate and identify each monitoring well and contaminant source. The Permittee shall submit to NMED a groundwater elevation contour map in the monitoring reports due by August 1st and February 1st each year. [Subsection A of 20.6.2.3107 NMAC]
18.	Once prior to the date that the term of this Discharge Permit ends, NMED shall have the option to perform downhole inspections of all groundwater monitoring wells identified in this Discharge Permit. NMED shall establish the inspection date and provide at least a 60-day notice to the Permittee by certified mail. The Permittee shall remove any existing

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	dedicated pumps at least 48 hours prior to NMED inspection to allow adequate settling time of sediment agitated from pump removal. Should the Permittee decide to install a pump in any of the monitoring wells without a dedicated pump, the Permittee shall notify NMED at least 90 days prior to pump installation so that NMED can schedule a downhole well inspection(s) prior to pump placement. [Subsections A and D of 20.6.2.3107 NMAC]

Monitoring and Reporting - Domestic Wastewater Treatment Facility Sludge

#	Terms and Conditions
19.	The Permittee shall analyze domestic wastewater treatment facility sludge accepted at the Facility in the following manner: • Record the total volume of domestic wastewater treatment facility sludge discharged to each surface disposal cell during the reporting period. • Sample each domestic wastewater sludge type (solid, semi-solid, and liquid) transported to the Facility on a semi-annual basis and analyze the sample(s) for percent total solids (%TS). • Sample each domestic wastewater sludge type (solid, semi-solid, and liquid) transported to the Facility on a semi-annual basis and analyze the samples for TKN and NO_3-N. The Permittee shall report the analytical results as mg/kg for TKN and NO_3-N (dry weight basis). The Permittee shall ensure the samples are properly prepared, preserved, transported and analyzed in accordance with the methods authorized in this Discharge Permit. The Permittee shall submit records of the volume of the sludge discharged, percent total solids, and laboratory analytical data results, including the laboratory QA/QC summary, to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC and Subsection H of 20.6.2.3109]
20.	The Permittee shall complete a Surface Disposal Data Sheet for Sludge (SDDS-Sludge, attached) on a monthly basis to document the amount of nitrogen in domestic wastewater treatment facility sludge discharged to the surface disposal cell(s). The Permittee shall complete a SDDS for each cell designation and for each sludge type (solid, semi-solid, and liquid) disposed of in each cell. The SDDS shall reflect the most recent nitrogen analysis results and the average percent total solids for each sludge type for each cell. The Permittee shall not adjust the nitrogen content to account for

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	volatilization or mineralization processes. The Permittee shall submit a copy of the SDDSs, or a statement that no surface disposal occurred within the cells, to NMED in the semi-annual monitoring reports. [Subsection A of 20.6.2.3107 NMAC and Subsection H of 20.6.2.3109]

C. CONTINGENCY PLAN

#	Terms and Conditions
21.	In the event that groundwater monitoring indicates that groundwater exceeds a standard identified in Section 20.6.2.3103 NMAC in a monitoring well with no previous exceedances of the chemical constituent at the date of issuance of this Discharge Permit, the Permittee shall collect a confirmatory sample from the monitoring well within 15 days of receipt of the initial sampling results to confirm the initial analytical results to confirm those results. Within 60 days of confirmation of groundwater contamination, the Permittee shall submit to NMED a Corrective Action Plan (CAP) that proposes, at a minimum, contaminant source control measures and an implementation schedule. The Permittee shall implement the CAP as approved by NMED. Once this groundwater exceedance response condition is invoked, whether during the term of this Discharge Permit or after the term of this Discharge Permit and prior to the completion of the Discharge Permit closure plan requirements, this condition shall apply until the Permittee has fulfilled the requirements of this condition and groundwater monitoring confirms for a minimum of eight (8) consecutive quarterly samples that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. Violation of the groundwater standard beyond 180 days after the confirmation of groundwater contamination, may cause NMED to require the Permittee to abate water pollution consistent with the requirements and provisions of Section 20.6.2.4101, Section 20.6.2.4103, Subsections C and E of 20.6.2.4106, Section 20.6.2.4107, Section 20.6.2.4108 and Section 20.6.2.4112 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]
22.	In the event that information available to NMED indicates that a well is not constructed in a manner consistent with the attachment titled *Ground Water Discharge Permit Monitoring Well Construction and Abandonment Conditions*, Revision 1.1, March 2011 (Monitoring Well Guidance); contains insufficient water to effectively monitor

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	groundwater quality; or is otherwise not completed in a manner that is protective of groundwater quality, the Permittee shall install a replacement well(s) within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well(s) within 30 days following well completion. The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attached Monitoring Well Guidance. The Permittee shall submit well construction and lithologic logs, survey data and a groundwater elevation contour map to NMED within 60 days following well completion. The Permittee shall properly plug and abandon a monitoring well requiring replacement upon completion of the replacement monitoring well. The Permittee shall complete the well plugging and abandonment and shall document the abandonment procedures in accordance with the attached Monitoring Well Guidance and all applicable local, state, and federal regulations. The Permittee shall submit a copy of the well abandonment documentation to NMED within 60 days following the replacement well completion. [Subsection A of 20.6.2.3107 NMAC]
23.	In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion. In the event that groundwater flow information obtained pursuant to this Discharge Permit indicates that a monitoring well is not appropriately located, e.g., hydrologically downgradient of the discharge location it is intended to monitor, the Permittee shall install a replacement well within 120 days following notification from NMED. The Permittee shall survey the replacement monitoring well within 30 days following well completion. The Permittee shall install replacement wells at locations approved by NMED prior to installation and shall complete replacement wells in accordance with the attached Monitoring Well Guidance. The Permittee shall submit construction and lithologic logs, survey data and a groundwater elevation contour map within 60 days following well completion.

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	[Subsection A of 20.6.2.3107 NMAC]
24.	In the event that a SDDS for any cell shows that the amount of nitrogen applied in any 12-month period exceeds 200 pounds per acre, the Permittee shall propose the reduction of nitrogen loading to the affected cell by submitting a Corrective Action Plan (CAP) to NMED for approval. The Permittee shall submit the CAP, including a schedule for completion of corrective actions, within 90 days following the end of the monitoring period in which the exceedance occurred. The Permittee shall initiate implementation of the CAP following approval by NMED. [Subsection A of 20.6.2.3107 NMAC, Subsection C of 20.6.2.3109 NMAC]
25.	In the event that the sludge disposal area is saturated, frozen or covered with snow, sludge shall not be discharged to the surface disposal area. The Permittee shall obtain NMED Approval for a temporary alternative should the adverse conditions persist beyond the sludge storage capacity of the Wastewater Treatment Facility. [Subsection A of 20.6.2.3107 NMAC]
26.	In the event that a release occurs that is not authorized under this Discharge Permit (commonly known as a "spill"), the Permittee shall take measures to mitigate damage from the unauthorized discharge and initiate the notifications and corrective actions required in Section 20.6.2.1203 NMAC and summarized below. Within 24 hours following discovery of the unauthorized discharge, the Permittee shall verbally notify NMED and provide the following information. a) The name, address, and telephone number of the person or persons in charge of the Facility, as well as of the owner and/or operator of the Facility. b) The name and address of the Facility. c) The date, time, location, and duration of the unauthorized discharge. d) The source and cause of unauthorized discharge. e) A description of the unauthorized discharge, including its estimated chemical composition. f) The estimated volume of the unauthorized discharge. g) Any actions taken to mitigate immediate damage from the unauthorized discharge. Within one week following discovery of the unauthorized discharge, the Permittee shall submit written notification to NMED providing the information listed above and any pertinent updates. Within 15 days following discovery of the unauthorized discharge, the Permittee shall submit a Corrective Action Plan (CAP) to NMED describing any corrective actions

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	previously taken and corrective actions to be taken relative to the unauthorized discharge. The CAP shall include the following information. a) A description of proposed actions to mitigate damage from the unauthorized discharge. b) A description of proposed actions to prevent future unauthorized discharges of this nature. c) A schedule for completion of proposed actions. In the event that the unauthorized discharge causes or may with reasonable probability cause water pollution in excess of the standards and requirements of Section 20.6.2.4103 NMAC, and the water pollution will not be abated within 180 days after notice is required to be given pursuant to Paragraph (1) of Subsection A of 20.6.2.1203 NMAC, NMED may require the Permittee to abate water pollution pursuant to Sections 20.6.2.4000 through 20.6.2.4115 NMAC. The Permittee shall not construe anything in this condition as relieving them of the obligation to comply with all requirements of Section 20.6.2.1203 NMAC. [20.6.2.1203 NMAC]
27.	In the event that NMED or the Permittee identifies any failures of the discharge plan, i.e., the application, or this Discharge Permit not specifically noted herein, NMED may require the Permittee to submit a Corrective Action Plan and a schedule for completion of corrective actions to address the failure(s). Additionally, NMED may require a discharge permit modification to achieve compliance with 20.6.2 NMAC. [Subsection A of 20.6.2.3107 NMAC, Subsection E of 20.6.2.3109 NMAC]

D. CLOSURE PLAN

Permanent Facility Closure Conditions

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28.	The Permittee shall complete the following closure measures upon proposing to permanently close a surface disposal cell or the entire Facility: a) Notify NMED that the Permittee will no longer being accepting sludge at the Facility or a surface disposal cell. b) Within 60 days of ceasing to discharge to a disposal cell, the Permittee shall backfill the disposal cell(s) with clean fill (as necessary) and re-grade the cell(s) to allow for positive storm water drainage. c) Re-vegetate the cell(s) and disturbed areas at the Facility by establishing a vegetative

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	cover equal to 70% of the native perennial vegetative cover consisting of at least three native plant species including at least one grass, but not including noxious weeds. The Permittee shall maintain the vegetative cover through two consecutive growing seasons. The Permittee shall continue groundwater monitoring until the Permittee meets the requirements of this condition and groundwater monitoring confirms for a minimum of eight consecutive quarterly groundwater sampling events that groundwater does not exceed the standards of Section 20.6.2.3103 NMAC. This period is referred to as "post-closure." If at any time monitoring results show an exceedance of a groundwater quality standard in Section 20.6.2.3103 NMAC, the Permittee shall implement the Contingency Plan required by this Discharge Permit. Following notification from NMED that the Permittee may cease post-closure monitoring, the Permittee shall plug and abandon the monitoring well(s) in accordance with the attachment Monitoring Well Guidance. When the Permittee has met all closure and post-closure requirements and verified appropriate actions with date stamped photographic evidence or an associated NMED inspection, the Permittee may submit to NMED a written request, including photographic evidence, for termination of the Discharge Permit. [Subsection A of 20.6.2.3107 NMAC]

E. GENERAL TERMS AND CONDITIONS

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29.	RECORD KEEPING - The Permittee shall maintain a written record of: • Information and data used to complete the application for this Discharge Permit; • Information, data, and documents demonstrating completion of closure activities; • Any releases (commonly known as "spills") not authorized under this Discharge Permit and reports submitted pursuant to 20.6.2.1203 NMAC; • The operation, maintenance, and repair of all facilities/equipment used to treat, store or dispose of wastewater; • Facility record drawings (plans and specifications) showing the actual construction of the Facility and bear the seal and signature of a licensed New Mexico professional engineer;

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	• Copies of logs, inspection reports, manifests, and monitoring reports completed and/or submitted to NMED pursuant to this Discharge Permit; • The volume of wastes discharged pursuant to this Discharge Permit; • Groundwater quality and wastewater quality data collected pursuant to this Discharge Permit; • Copies of construction records (well log) for all sampled groundwater monitoring wells pursuant to this Discharge Permit; • The maintenance, repair, replacement or calibration of any monitoring equipment or flow measurement devices required by this Discharge Permit; and • Data and information related to field measurements, sampling, and analysis conducted pursuant to this Discharge Permit, including: o the dates, location and times of sampling or field measurements; o the name and job title of the individuals who performed each sample collection or field measurement; o the sample analysis date of each sample o the name and address of the laboratory, and the name of the signatory authority for the laboratory analysis; o the analytical technique or method used to analyze each sample or collect each field measurement; o the results of each analysis or field measurement, including raw data; o the results of any split, spiked, duplicate or repeat sample; and o a copy of the laboratory analysis chain-of-custody as well as a description of the quality assurance and quality control procedures used. The Permittee shall maintain the written record at a location accessible to NMED during a Facility inspection for the lifetime of the Discharge Permit. The Permittee shall make the record available to the department upon request. [Subsections A and D of 20.6.2.3107 NMAC]
30.	SUBMITTALS – The Permittee shall submit both a paper copy and an electronic copy of all notification and reporting documents required by this Discharge Permit, e.g., monitoring reports. The Permittee shall submit the paper and electronic documents to the NMED Permit Contact identified on the Permit cover page. [Subsection A of 20.6.2.3107 NMAC]
31.	INSPECTION and ENTRY – The Permittee shall allow NMED to inspect the Facility and its operations that are subject to this Discharge Permit and the WQCC regulations. NMED may upon presentation of proper credentials, enter at reasonable times upon or through any premises in which a water contaminant source is located or in which any maintained

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	records required by this Discharge Permit, the regulations of the federal government, or the WQCC are located. The Permittee shall allow NMED to have access to and reproduce for their use any copy of the records, and to perform assessments, sampling or monitoring during an inspection for the purpose of evaluating compliance with this Discharge Permit and the WQCC regulations. No person shall construe anything in this Discharge Permit as limiting in any way the inspection and entry authority of NMED under the WQA, the WQCC Regulations, or any other local, state or federal regulations. [Subsection D of 20.6.2.3107 NMAC, NMSA 1978, §§ 74-6-9.B and 74-6-9.E]
32.	DUTY to PROVIDE INFORMATION - The Permittee shall, upon NMED's request, allow for NMED's inspection/duplication of records required by this Discharge Permit and/or furnish to NMED copies of such records. [Subsection D of 20.6.2.3107 NMAC]
33.	MODIFICATIONS and/or AMENDMENTS – In the event the Permittee proposes a change to the Facility or the Facility's discharge that would result in a change in the volume discharged; the location of the discharge; or in the amount or character of water contaminants received, treated or discharged by the Facility, the Permittee shall notify NMED prior to implementing such changes. The Permittee shall obtain NMED's approval (which may require modification of this Discharge Permit) prior to implementing such changes. [Subsection C of 20.6.2.3107 NMAC, Subsections E and G of 20.6.2.3109 NMAC]
34.	PLANS and SPECIFICATIONS – In the event the Permittee proposes to construct a wastewater system or change a process unit of an existing system such that the quantity or quality of the discharge will change substantially from that authorized by this Discharge Permit, the Permittee shall submit construction plans and specifications of the proposed system or process unit to NMED for approval prior to the commencement of construction. In the event the Permittee implements changes to the wastewater system authorized by this Discharge Permit that result in only a minor effect on the character of the discharge, the Permittee shall report such changes (including the submission of record drawings where applicable) to NMED prior to implementation. [Subsections A and C of 20.6.2.1202 NMAC, NMSA 1978, §§ 61-23-1 through 61-23-32]

#	Terms and Conditions
35.	CIVIL PENALTIES - Any violation of the requirements and conditions of this Discharge Permit, including any failure to allow NMED staff to enter and inspect records or facilities, or any refusal or failure to provide NMED with records or information, may subject the Permittee to a civil enforcement action. Pursuant to WQA 74-6-10(A) and (B), such action may include a compliance order requiring compliance immediately or in a specified time, assessing a civil penalty, modifying or terminating the Discharge Permit, or any combination of the foregoing; or an action in district court seeking injunctive relief, civil penalties, or both. Pursuant to WQA 74-6-10(C) and 74-6-10.1, civil penalties of up to $15,000 per day of noncompliance may be assessed for each violation of the WQA 74-6-5, the WQCC Regulations, or this Discharge Permit, and civil penalties of up to $10,000 per day of noncompliance may be assessed for each violation of any other provision of the WQA, or any regulation, standard, or order adopted pursuant to such other provision. In any action to enforce this Discharge Permit, the Permittee waives any objection to the admissibility as evidence of any data generated pursuant to this Discharge Permit. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10 and 74-6-10.1]
36.	CRIMINAL PENALTIES – No person shall: • Make any false material statement, representation, certification or omission of material fact in an application, record, report, plan or other document filed, submitted or maintained under the WQA; • Falsify, tamper with or render inaccurate any monitoring device, method or record maintained under the WQA; or • Fail to monitor, sample or report as required by a permit issued pursuant to a state or federal law or regulation. Any person who knowingly violates or knowingly causes or allows another person to violate the requirements of this condition is guilty of a fourth-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who is convicted of a second or subsequent violation of the requirements of this condition is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition or knowingly causes another person to violate the requirements of this condition and thereby causes a substantial adverse environmental impact is guilty of a third-degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. Any person who knowingly violates the requirements of this condition and knows at the time of the violation that he is creating a substantial danger of death or serious bodily injury to any other person is guilty of a second degree felony and shall be sentenced in accordance with the provisions of NMSA 1978, § 31-18-15. [20.6.2.1220 NMAC, NMSA 1978, §§ 74-6-10.2.A through 74-6-10.2.F]

#	Terms and Conditions
37.	COMPLIANCE with OTHER LAWS - Nothing in this Discharge Permit shall be construed in any way as relieving the Permittee of the obligation to comply with any other applicable federal, state, and/or local laws, regulations, zoning requirements, nuisance ordinances, permits or orders. [NMSA 1978, § 74-6-5.L]
38.	RIGHT to APPEAL - The Permittee may file a petition for review before the WQCC on this Discharge Permit. Such petition shall be in writing to the WQCC within thirty days of the receipt of postal notice of this Discharge Permit and shall include a statement of the issues raised and the relief sought. Unless the Permittee files a timely petition for review, the decision of NMED shall be final and not subject to judicial review. [20.6.2.3112 NMAC, NMSA 1978, § 74-6-5.O]
39.	TRANSFER of DISCHARGE PERMIT - Prior to the transfer of any ownership, control, or possession of this Facility or any portion thereof, the Permittee shall: • Notify the proposed transferee in writing of the existence of this Discharge Permit; • Include a copy of this Discharge Permit with the notice; and • Deliver or send by certified mail to NMED a copy of the notification and proof that the proposed transferee has received such notification. The Permittee shall continue to be responsible for any discharge from the Facility, until both ownership and possession of the Facility have been transferred to the transferee. [20.6.2.3111 NMAC]
40.	PERMIT FEES – The Permittee shall be aware that the payment of permit fees is due at the time of Discharge Permit approval. The Permittee may pay the permit fees in a single payment or they may pay the fee in equal installments on a yearly basis over the term of the Discharge Permit. The Permittee shall remit single payments to NMED no later than 30 days after the Discharge Permit issuance date. The Permittee shall remit initial installment payments to NMED no later than 30 days after the Discharge Permit issuance date; with subsequent installment payments remitted to NMED no later than the anniversary of the Discharge Permit issuance date. Permit fees are associated with <u>issuance</u> of this Discharge Permit. No person shall construe anything in this Discharge Permit as relieving the Permittee of the obligation to pay all permit fees assessed by NMED. A Permittee that ceases discharging or does not commence discharging from the Facility during the term of the Discharge Permit shall pay all permit fees assessed by NMED. NMED shall suspend or terminate an approved Discharge Permit if the Permittee fails to remit an installment payment by its due date.

#	**Terms and Conditions**
	[Subsection F of 20.6.2.3114 NMAC, NMSA 1978, § 74-6-5.K]

New Mexico Environment Department Ground Water Quality Bureau

Discharge Permit Summary

Facility Information

Facility Name City of Las Vegas Sludge Disposal Facility
Discharge Permit Number DP-494

Legally Responsible Party
William Taylor, City Manager
City of Las Vegas
1700 N. Grand Avenue
Las Vegas, NM 87701
(505) 454-1401

Treatment, Disposal and Site Information

Primary Waste Type WWTF Sludge
Facility Type Municipal – Sludge Disposal Facility

Treatment Methods

Type	Description & Comments
Municipal WWTF – Aerobic Sludge Digestion	Aerobically digested municipal biosolids (sludge)

Discharge Locations

Type	Description & Comments
Nurse Tank	14,000-gallon sludge holding tank. Hauled solids via tanker truck from the City of Las Vegas WWTF are decanted in the nurse tank until pumped for sludge disposal
Sludge Disposal Land Application	400 acres of rangeland comprised of 18 individual land application areas. Each section receives sludge application once per 1.5 years on a rotational basis. Digested sludge pumped from the nurse tank by a Terragator (subsurface injection vehicle) is applied in accordance with 40 CFR Part 503.

Ground Water Monitoring Locations

Type	Designation	Description & Comments
Monitoring Well NE	MW-NE	Located in the northeast corner of the sludge disposal land application area and at the northeast corner of Section 6.
Monitoring Well SE	MW-SE	Located in the southeast corner of the sludge disposal land application area and at the southeast corner of Section 13.
Monitoring Well SW	MW-SW	Located in the southwest corner of the sludge disposal land application area and at the southwest corner of Section 15.
Monitoring Well NW	MW-NW	Located upgradient of the facility and in the northwest corner of the sludge disposal land application area at the northwest corner of Section 4.

Depth-to-Ground Water 26 feet
Total Dissolved Solids (TDS) 904 mg/L

Permit Information

Original Permit Issued	November 16, 1993
Permit Renewal and Modification	October 18, 1995
Permit Modification	**February 14, 1997**
Permit Renewal	**September 11, 2001**
Permit Renewal	**November 12, 2008**
Permit Renewal	**June 6, 2014**
Current Action	**Permit Renewal**
Application Received	February 12, 2020
Public Notice Published	[not yet published]
Permit Issued (Issuance Date)	[issuance date]
Permitted Discharge Volume	15,900 gallons per day

NMED Contact Information

Mailing Address	Ground Water Quality Bureau P.O. Box 5469 Santa Fe, New Mexico 87502-5469
GWQB Telephone Number	(505) 827-2900
NMED Lead Staff	Andrew Romero
Lead Staff Telephone Number	(505) 660-8624
Lead Staff Email	andrewc.romero@state.nm.us